PATENT APPLICATION

ATTORNEY DOCKET NO. __200302044-1__

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):   Theodore Emerson

Application No.: 10/037,501

Filing Date: 01/04/2002

Confirmation No.: 6279

Examiner: Dhairya Patel

Group Art Unit: 2151

Title: Method and apparatus for emulating an OS-supported communication device to enable remote debugging

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date,

07/11/2008____, rejecting the following claims _____1-9 and 11-23_____

☒ The fee for filing this Notice of Appeal is $540.00 (37 CFR 41.20).

☐ No Additional Fee Required.
       (complete (a) or (b) as applicable)
The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☒ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☒ 1st Month $130   ☐ 2nd Month $490   ☐ 3rd Month $1110   ☐ 4th Month $1730

☐ The extension fee has already been filed in this application

☐ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of ___$ 670.00___.   At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CRF 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Theodore Emerson

By   __/Philip Lyren #40,709/__

Philip Lyren

Attorney/Agent for Applicant(s)

Reg No. :   40,709

Date :   November 11, 2008

Telephone : 832-236-5529